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IT IS SO ORDERED.

Dated: May 1, 2015



Charles M. Caldwell
Charles M. Caldwell
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:

**James R. King
Angela M. King FKA Angela M
Fessler**

Debtor(s).

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**Case No.: 09-53407
Chapter 12
Judge Charles M Caldwell**

**AGREED ORDER TO RESOLVE MOTION TO DISMISS (DOCKET # 87) AND
MOTION TO MODIFY AND COMPLETE CHAPTER 12
PLAN OF REORGANIZATION (DOCKET # 92)**

This matter having come before the Court on the Trustee's Motion to Dismiss Debtor(s)/Case at Docket # 87, and the Motion to Modify and Complete Chapter 12 Plan of Reorganization at Docket # 92 and the response thereto filed by Nationstar Mortgage LLC ("Creditor") at Docket # 95 (the "Motions") . Because it appears to the Court that the parties have agreed to a course of action; and because the Court being otherwise fully advised in the premises, the Court hereby issues the following Order with respect to the above motions:

1. The Chapter 12 Trustee's Motion to Dismiss shall be held in abeyance to provide Debtors with the opportunity to complete this Chapter 12 Plan as follows.
2. Creditor has offered Debtor the opportunity to modify the loan that is the basis for the first lien on 1434 County Rd 11, Bellefontaine, OH 43311. If Debtor accepts the trial modification consistent with the terms of the offer, Debtor shall move for approval of said modification by filing a Motion to Approve Loan Modification no later than 30 days after receiving the final modification document.
3. Within 30 days of obtaining the Court's approval on the Motion to Approve Loan Modification, Debtors shall file a Motion to Modify Chapter 12 Plan providing for a structure for the payment of all priority claims as filed herein and a distribution to unsecured creditors.
4. In the event Debtors fail to either file a Motion to Approve Loan Modification no later than 30 days after receiving a final modification document from Nationstar Mortgage, LLC or Debtors fail to file a Motion to Modify Chapter 12 Plan no later than 30 days after obtaining the Court's approval on said Motion to Approve Loan Modification, the Trustee shall be authorized to submit to the Court an order of dismissal with an attached affidavit attesting to the default under this Agreed Order. Upon submission of the Trustee's proposed order of dismissal and affidavit of default, the Motion to Dismiss will be granted instanter without further notice or hearing.
5. Debtor's Motion to Modify is hereby withdrawn.

SO ORDERED.

SUBMITTED BY:

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Copies to: Default list plus additional parties

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